

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

CREATIVE INTERNET ADVERTISING  
CORPORATION,

Plaintiff,

v.

YAHOO! INC., et al.,

Defendants.

§ CIVIL ACTION NO. 6:07cv354

**VERDICT FORM**

**QUESTION NO. 1:**

Do you find by a preponderance of the evidence that Yahoo's Messenger program with IMVironments literally infringes claim 45 of the '432 patent?

Answer "Yes" or "No" YES

**QUESTION NO. 2:**

Do you find by a preponderance of the evidence that Yahoo's Messenger program with IMVironments infringes claim 45 of the '432 patent under the doctrine of equivalents?

Answer "Yes" or "No" YES

If you answer "No" to Question No. 1 and Question No. 2, then do not answer Question No. 3 and move on to Question No. 4. If you answer "Yes" to Question No. 1 or Question No. 2, then move on to Question No. 3.

**QUESTION NO. 3:**

Do you find by clear and convincing evidence that Yahoo's infringement of claim 45 was willful?

Answer "Yes" or "No" YES

QUESTION NO. 4:

Do you find by clear and convincing evidence that claim 45 of the '432 patent is invalid?

Answer "Yes" or "No" No

If you answered "No" to Question No. 1 and Question No. 2, then do not answer Question No. 5 the jury foreperson should sign and date the Verdict Form and return it to the Court Security Officer. Further, if you answered "Yes" to Question No. 4, then do not answer Question No. 5 the jury foreperson should sign and date the Verdict Form and return it to the Court Security Officer.

QUESTION NO. 5:

What sum of money, if any, if paid now in cash, would fairly and adequately compensate Creative for the infringement that you have found in Question No. 1 or Question No. 2?

Answer in dollars. \$ 2,625,584.00

DATE: May 15 2009

Initials of Jury Foreperson: C.A.T.